

sales; and prayed that the amount might be directed to be paid to her, &c.

BLAND, C., 21st August, 1829.—Ordered, that the share of so much of the balance of the money, now in Court, as the said Elizabeth C. Williams is entitled to, be paid to her as prayed by the foregoing petition. (*m*)

* On the 21st of December, 1830, the trustee further reported, that he had, on the 17th day of December, 1830, **220** sold the woodland at private sale, in two parcels, on the following terms, that is to say, he had sold two lots of said land to Charles W. Johnson, containing together one hundred and one acres and three-quarters, more or less, for the sum of twelve hundred dollars; and two other lots containing together one hundred and one-half acres, more or less, to John Derr, for the sum of one thousand dollars, all to be paid in cash on the ratification of said sales. These sales were finally ratified on the 26th day of February, 1831.

On the 18th of March, 1831, the auditor reported, that he had examined the proceedings and stated an account, in which the proceeds of the last sales, \$2,200, and the rents, \$15, received by the trustee, were applied to the payment of the trustee's allowance for commissions and expenses, county taxes, additional costs, \$126.82; and the widow's allowance in lieu of dower, \$296.17, and her share of the rent, \$5, and had distributed the balance amongst the deceased's children and heirs-at-law.

From the reports of the trustee, and of the auditor together, it appears, that the whole amount of rent received for one year's rent of the estate, was \$1,530; from which there was a deduction for repairs, presumed to be \$130, leaving a net amount of \$1,400 for rent; and that the net amount of the proceeds of the sales was

(*m*) When this order was passed, the law declared, "that every female orphan should be accounted of full age to receive her estate at the age of sixteen years or day of marriage, which should first happen."—(1715, ch. 39, s. 15; *Woodward v. Chapman*, 2 Bland, 72.)—And accordingly the Orphans' Courts were only authorized to appoint a guardian to a female until the age of sixteen.—(1798, ch. 101, sub-ch. 12, s. 1.)—But as the law now stands, she cannot be considered as of full age for such purposes until she attains eighteen years of age or marries.—(1829, ch. 216, s. 5 and 6; 1831, ch. 305, s. 5.)—"Women," says Gibbon, in treating of the Roman law, "were condemned to the perpetual tutelage of parents, husbands, or guardians: a sex created to please and obey, was never supposed to have attained the age of reason and experience."—(*Decl. and Fall Rom. Emp.* ch. 44; 1 *Blac. Com.* 463.)—But by this peculiar law of ours, founded upon what principles or policy I do not understand, a female orphan is to have her property handed over to her, and to be left in a condition of legal infancy, formerly from sixteen, now from eighteen until twenty-one years of age, without a legal guardian or protector of any sort, unless by recourse to the Court of Chancery.—(*Davis v. Jacquelin*, 5 H. & J. 100; *Bowers v. The State*, 7 H. & J. 32; *Fridge v. The State*, 3 G. & J. 115; *Corrie's Case*, 2 Bland, 501; *Waring v. Waring*, 2 Bland, 673.)